

P2830P1C5

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Baker, et al.
Appl. No.	:	10/006,746
Filed	:	December 6, 2001
For	:	SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME
Examiner	:	Fozia Hamud
Group Art Unit	:	1647

DECLARATION UNDER 37 C.F.R. §1.808

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby aver that the nucleic acid of SEQ ID NO: 115, which encodes the protein of SEQ ID NO: 116, was deposited with the American Type Culture Collection (ATCC) September 22, 1998 and was given ATCC deposit number 203278. Accordingly, the deposited material has been accepted for deposit under the Budapest Treaty on the International Recognition of the deposit of Microorganisms for the Purposes of Patent Procedure and all restrictions on the availability to the public of the material so deposited will be irrevocably removed upon granting of the patent.

The deposited material is identical to the biological material and was in the Applicant's possession at the time the application was filed.

GENENTECH, INC.

Date: 11/30/04By: Title: PATENT AGENT